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By means of a nationwide survey, this study of teacher aides sought to determine (1) their legal status in the classroom and (2) the distinction between teaching or instruction and non-teaching functions. A questionnaire was sent to the chief state school officer of the 50 states, asking for information on (1) state laws regulating teacher aide duties, (2) policy statements defining and delimiting their duties, and (3) their role and function as perceived by the state education department, whether or not there were laws concerning them. All 50 states replied. Ten states have laws governing teacher aide employment and functions; 11 have policies or guidelines; 29 have neither statutes nor guidelines, although seven of these are developing regulations of some sort. Extreme ranges of interpretation were found between teaching and non-teaching tasks, rather than clear distinctions. Nevada, for example, requires each local board to establish its own policies on teacher aide duties. California, on the other hand, has its Instructional Aide Act of 1968. The law specifies that aides may perform tasks that, "in the judgment of the certified personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a teacher." Although the use of teacher aides is nationwide, the study found not discernible direction or trend in the definition of their role or functions. (HH)

THE ROLE OF PARAPROFESSIONALS IN THE SCHOOLS

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE  
OFFICE OF EDUCATION

--A NATIONAL STUDY

(ABSTRACT)

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The Problem

The utilization of paraprofessionals in the schools is rapidly developing into a significant movement in education. Yet few educators have expressed concern for the need to identify criteria for distinguishing between professional and paraprofessional tasks.<sup>1,2</sup>

Recent federal legislation (the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, and the

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<sup>1</sup>Robert H. Anderson, "Organizational Character of Education: Staff Utilization and Development," Review of Educational Research, XXXIV (October, 1964), pp. 455-467.

<sup>2</sup>Daniel Tanner and Laurel N. Tanner, "Teacher Aide--A Job for Anyone in Our Ghetto Schools," Teachers College Record, LXIX (May, 1968), pp. 743-751.

Education Professions Development Act of 1967) has resulted in an almost phenomenal increase in the number of teacher aides in our classrooms. Despite this rise, the literature indicates growing confusion as to (1) their legal role in the classroom, and (2) what constitutes an act of teaching or instruction as contrasted with a non-teaching act.

The purpose of this study was to determine by means of a national survey of state education departments, the status and trends concerning the role and function of teacher aides. A further objective was to analyze the legally-stated functions of aides in contrast to the functions generally regarded as being in the domain of teaching.

### Procedures

The chief state school officer of each of the fifty states was asked to respond to a mail questionnaire concerning (1) the legal status of "teacher aides" in terms of state statutes and regulations governing their duties, (2) the development of policy statements or guidelines by state education departments defining and delimiting the duties of "teacher aides," and (3) the role and function of "teacher aides" as perceived by state departments of education, whether or not laws or guidelines are in existence.

### Findings

All fifty states responded to the questionnaire. Although "teacher aides" are employed in virtually all of the states, laws pertaining to their employment and functions were in effect in only ten states. Eleven states had developed policies or guidelines.

Twenty-nine states reported having no statutory provisions and no policies or guidelines for "teaching aides," although seven states reported that statutes or guidelines are in the process of being developed. These data are presented in the table.

STATES WITH AND WITHOUT LAWS, POLICY STATEMENTS  
AND GUIDELINES GOVERNING THE DUTIES OF TEACHER AIDES  
1968-1969

| CATEGORY                                                           | STATES                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Laws regarding duties of aides                                     | California, Delaware, Illinois, Iowa, Massachusetts, Michigan, Nevada, New Jersey, Oregon, Vermont                                                                                                                                                                                                                          |
| Policy statements or guidelines regarding duties of aides          | Florida, Georgia, Hawaii, Maine, Minnesota, New Mexico, Oklahoma, Rhode Island, Washington, Wisconsin, Wyoming                                                                                                                                                                                                              |
| No laws, policy statements or guidelines regarding duties of aides | Alabama, Alaska, Arizona, Arkansas,* Colorado,* Connecticut, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Montana,* Nebraska,* New Hampshire, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota,* Tennessee, Texas, Utah,* Virginia, West Virginia* |

\*States reporting efforts to develop laws or policy guidelines.

Some state regulations do little to clarify the difference between instructional and non-instructional tasks. Indeed they may serve to increase the variety of interpretations from district to district within the state. Nevada is an example. A Nevada statute requires that each local board employing aides establish its own policies regarding the duties of such personnel. California's Instructional Aide Act of 1968, however, is probably the broadest statute in terms of who shall determine the tasks which are appropriate for an instructional aide to perform. This law decrees that aides may perform tasks "which, in the judgment of the certified personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a teacher."

An analysis of the functions of aides revealed a lack of agreement among the states as to what constitutes teaching and non-teaching functions in the classroom and school. The findings of this study point to there being no direction or trend in policies, regulations, and legislation regarding the role and functions of teacher aides in the fifty states.

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